

**REGULAR MEETING of the Town Council held on Wednesday, March 8, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.**

**MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**MEMBERS ABSENT: None**

**1. Council President Wallace F. Lees led those present in pledging allegiance to the flag.**

**Moment of Silence in Memory of Councilor William E. Gonyea**

**2. VOTED to approve the minutes of the regular meeting held February 8, 2006, and the public hearing held February 8, 2006.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

### **3. Public Comment:**

**The following letter was read into the record:**

**Dear Members of the Town Council and Town Employees,**

**On behalf of my mother and the entire William E. Gonyea family, I would like to thank you for your kind thoughts and consideration.**

**The many tributes paid to my father are so very much appreciated by our family.**

**There are many wonderful memories we have of our Dad. Among those memories is his commitment to public service and the wonderful collegial relationship that he had with all in Town Government.**

**He truly enjoyed your efforts to make Burrillville a better community.**

**As we think about our Father we will always remember your kindness and expression of sympathy.**

**Sincerely,**

**William E. Gonyea, Jr.**

### **4. General Good and Welfare of the Town of Burrillville.**

**Councilor Margaret L. Dudley noted that Lt. Governor Charles Fogarty, Senator Paul W. Fogarty and Representatives Edwin Pacheco and Raymond Church would host a reception at the State House on March 15, 2006 commemorating Burrillville's Bicentennial.**

**Michael C. Wood, Town Manager, congratulated Councilor Jacqueline Zahn on her birthday.**

**Councilor Jacqueline Zahn noted that the Department of Elderly Affairs would be at the Town Building on March 24, 2006 to review Medicare D with residents.**

**5. Petitions:**

**Note: Councilor Margaret L. Dudley recused from discussion of item #06-061.**

**06-061 Appeal of Decision of the Sewer Commission – Mill Pond Village Betterment Assessments, received from the Law Offices of Michael A. Kelly.**

**VOTED to table to April 12, 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Nancy F. Binns. The motion carried, five in favor, one recusal. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns and Ronald E. Faford. Councilor Margaret L. Dudley recused.**

**VOTED to amend the motion, to schedule the appeal for public hearing on April 12, 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion carried, five in favor, one refusal. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns and Ronald E. Faford. Councilor Margaret L. Dudley refused.**

**6. Special Business: None**

**7. Unfinished Business:**

**05-394 Proposed amendments to Section 24 of the ordinances of the Town of Burrillville for first reading and scheduling of a public hearing.**

**VOTED to schedule a public hearing for March 22, 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-024 Proposed amendments to §2-113 of the ordinances of the Town of Burrillville entitled Special Revenue Reserve Fund, for first reading and scheduling of a public hearing.**

**VOTED to schedule a public hearing for March 22, 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-048 VOTED to open discussion of a resolution appointing Burrillville Fire Alarm, Inc. to be responsible for installation, operation and maintenance of the radio fire alarm signaling system located within the Town of Burrillville.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**Discussion: Fire Chiefs David Shaw of Pascoag and Mark St. Pierre of Harrisville explained the municipal system and the purpose of the resolution.**

**VOTED to endorse, by resolution the Burrillville Fire Alarm, Inc., as follows:**

## **BURRILLVILLE TOWN COUNCIL**

**RESOLUTION AUTHORIZING BURRILLVILLE FIRE ALARM INC., TO BE RESPONSIBLE FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF THE RADIO FIRE ALARM SIGNALING SYSTEM LOCATED WITHIN THE TOWN OF BURRILLVILLE AND WITHIN THE FIRE DISTRICTS OF HARRISVILLE, PASCOAG, OAKLAND-MAPLEVILLE AND NASONVILLE.**

**WHEREAS, Burrillville Fire Alarm, Inc., a Rhode Island not for profit corporation, recognized by the State of Rhode Island, Office of the Secretary of State, has been organized to handle the installation, operation and maintenance of the radio fire alarm signaling system located within the Town of Burrillville and within the Fire Districts of Harrisville, Pascoag, Oakland-Mapleville and Nasonville; and,**

**WHEREAS, the Town Council recognizes that the Burrillville Fire Alarm, Inc. provides valuable services for the public safety of the Town of Burrillville; and,**

**WHEREAS, the Town Council desires to appoint the Burrillville Fire Alarm, Inc. to be responsible for the installation, operation and maintenance of the radio fire alarm signaling system located within the Town of Burrillville and within the Fire Districts of Harrisville, Pascoag, Oakland-Mapleville and Nasonville; and,**

**.NOW THEREFORE BE IT RESOLVED that the Burrillville Town**

**Council is hereby authorized to appoint the Burrillville Fire Alarm, Inc., a Rhode Island not for profit corporation, to be responsible for the installation, operation and maintenance of the radio fire alarm signaling system located within the Town of Burrillville and within the Fire Districts of Harrisville, Pascoag, Oakland-Mapleville and Nasonville.**

**Adopted this 22nd day of February, 2006.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-052 Correspondence from Louise R. Phaneuf, Town Clerk, regarding review, consideration and action on various legislative items included in the 2006 Legislative Agenda.**

**VOTED to adopt a resolution supporting legislation requiring utilities to pay for relocation of infrastructure, as follows:**

**RESOLUTION**

**SUPPORTING LEGISLATION**

**REQUIRING UTILITIES TO PAY FOR**

**RELOCATION OF INFRASTRUCTURE**

**WHEREAS, when municipalities undertake road/sidewalk work, they encounter problems with the location of utility poles and the wires, cables, etc. that are on these poles. Many times the poles, located within the Towns' rights of way, are situated such that ADA compliance cannot be achieved without relocating the apparatus; and WHEREAS, the cost (charges) to relocate these facilities is astronomical and the process is very time consuming and cumbersome, and the municipalities are expected to bear this excessive cost, even when ADA laws require relocation of these facilities; and**

**WHEREAS, it is unclear how those additional charges (costs) are derived by the utility companies; and**

**WHEREAS, fees and charges should be based on reasonable, verifiable estimates of the actual cost for the service provided. It might be prudent to investigate how these charges are determined and who guards against potential abuses.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville, respectfully request that the State Legislature and the Governor's Office support Senate Bill 2006 - S 2029, An Act Relating to Public Utilities – Excavation Near Underground Utility facilities – Costs, which would require public utilities to reimburse municipal corporations for any cost incurred associated with the temporary or permanent relocation of utility infrastructure during public works projects within municipal rights of way.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed**



**to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 8th day of March 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution supporting legislation: amendments to §40-13.2-5. Criminal Records Check – Employee of Youth Serving Agency, as follows:**

## **RESOLUTION**

### **SUPPORTING LEGISLATION AMENDMENTS TO**

### **§40-13.2-5. CRIMINAL RECORDS CHECK – EMPLOYEE OF YOUTH SERVING AGENCY**

**WHEREAS, at the Regular Meeting of the Burrillville Town Council held on March 8, 2006 at 7:00 P.M. in the Council Chamber, Town Building, and at which time a quorum was present and acting throughout, the Town Council supported an Act to Amend R.I.**

**General Laws §40-13.2-5.1 Criminal Records Check – Employee of Youth Serving Agency.**

**NOW THEREFORE BE IT RESOLVED that §40-13.2-5. entitled “Criminal Records Check – Employee of child care facilities which must be licensed by the department” is hereby amended to read as follows:**

**40-13.2-5. Criminal records check – Employee of child care facilities which must be licensed by the department. -- Any person seeking employment, if that employment involves supervisory or disciplinary power over a child or children or involves routine contact with a child or children without the presence of other employees, in any facility which is, or is required to be, licensed or registered with the department or seeking that employment at the training school for youth shall, after acceptance by the employer of the affidavit required by § 40-13.2-3, apply to the bureau of criminal identification of the state police or the local police department for a nationwide criminal records check. The check will conform to applicable federal standards including the taking of fingerprints to identify the applicant. Upon the discovery of any disqualifying information as defined in accordance with the rule promulgated by the director, the bureau of criminal identification of the state police or the local police department will inform the applicant in writing of the nature of the disqualifying information. In addition, the bureau of criminal identification of the state police or the local police department will**

inform the applicant in writing, without disclosing the nature of the disqualifying information, that an item of disqualifying information has been discovered. In those situations in which no disqualifying information has been found, the bureau of criminal identification of the state police or the local police department will inform both the applicant and the employer in writing of this fact. The employer will maintain on file, subject to inspection by the department, evidence that criminal records checks have been initiated on all employees seeking employment after August 1, 1985, and the results of the checks. Failure to maintain that evidence on file will be prima facie grounds to revoke the license or registration of the operator of the facility. It will be the responsibility of the bureau of criminal identification of the state police or the local police department to conduct the nationwide criminal records check pursuant to this section. The nationwide criminal records check will be provided to the applicant for employment without charge.

This act shall take effect upon passage.

**PASSED AS A RESOLUTION** of the Burrillville Town Council this 8th day of March 2006.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L.

**Dudley and Ronald E. Faford.**

**VOTED to support a resolution supporting legislation: amendments to §33-21.1-14.1 Property Held by Police Departments, as follows:**

**RESOLUTION**

**SUPPORTING LEGISLATION**

**AMENDMENTS TO §33-21.1-14.1.**

**PROPERTY HELD BY POLICE DEPARTMENTS**

**WHEREAS, at the Regular Meeting of the Burrillville Town Council held on March 8, 2006 at 7:00 P.M. in the Council Chamber, Town Building, and at which time a quorum was present and acting throughout, the Town Council supported an Act to Amend R.I. General Laws §33-21.1-14.1. Property held by police departments.**

**NOW THEREFORE BE IT RESOLVED that §33-21.1-14.1. entitled “Property held by police departments” is hereby amended to read as follows:**

**33-21.1-14.1. Property held by police departments- (a) All tangible and intangible personal property and any income from this property which has been confiscated by any city, town, or state police department or division of drug control and has been held in the custody of the department for six (6) months or more shall be presumed abandoned. Any city, town, or state police department or**

**division of drug control shall be allowed to keep said tangible and intangible property and any income from this property shall be used by that city, town, or state police department or division of drug control to be used for police related community functions, to replace stolen property and for law enforcement purposes.**

**This act shall take effect upon passage.**

**PASSED AS A RESOLUTION of the Burrillville Town Council this 8th day of March 2006.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution in Support of Amendments to §16-7-44. School Housing Project Costs, as follows:**

**Resolution**

**in Support of Amendments to**

**§16-7-44. School Housing Project Costs**

**WHEREAS, current provisions of §16-7-44. School housing project costs which require that interest payments may only be included in project costs provided that the bonds for these projects are issued through the Rhode Island Health, Education and Building Corporation**

**limits the ability of some communities in securing financing for school projects; and,**

**WHEREAS, the requirement that the bonds be issued through the Rhode Island Health, Education and Building Corporation negatively impacts the timeframe for issuance of bonds and acquisition of funds; and**

**WHEREAS, those communities with a strong financial standing may secure more favorable rates by directly financing projects; and,**

**WHEREAS, communities should be encouraged to finance at the best possible rates; and**

**WHEREAS, interest payments should be included in school housing projects costs for projects in communities that have secured favorable financing due to their strong financial standing.**

**NOW THEREFORE BE IT RESOLVED THAT we, the Town Council of the Town of Burrillville on this 8th day of March 2006 do hereby respectfully request that the State Legislature and the Governor's Office support House Bill 2006 – H 6806, An Act Relating to Education – Foundation Level School Support that would provide that for school housing projects approved after June 30, 2003, interest payments may be included for communities with a stand alone investment grade rating of at least A as established by Moody's Investor Service, Inc.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support**

of this proposal.

**Adopted this 8th day of March 2006**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution supporting 2006 – S 2049, relative to the elimination of MTBE as a gasoline additive, as follows:**

**BURRILLVILLE TOWN COUNCIL  
RESOLUTION**

**WHEREAS, a pure, consumable drinking water supply is a fundamental requirement for all citizens, and the lack thereof produces the potential for serious physical and economic impact on residents and businesses; and**

**WHEREAS, even minor concentrations of MTBE in drinking water can result in a foul taste and odor, rendering the water undrinkable; and in higher concentrations leads to serious concerns for possible short- and long-term effects; and**

**WHEREAS, the public water supply of many communities nationwide, and more particularly in the Northeast, have been compromised by the intrusion of MTBE into the drinking water, with the surety that the problem will increase as long as MTBE is allowed to be used as a gasoline additive; and**

**WHEREAS, the overwhelming costs involved in the cleanup of spills of MTBE-laden fuel can only increase as the situation is allowed to continue; and**

**WHEREAS, it is the policy of the Coalition of Northeastern Governors (CONEG) to support energy programs that strengthen the nation's economy and protect the environment.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville respectfully petition the State Legislature and the Governor's Office support Senate Bill 2006 – S 2049, An Act Relating to State Affairs and Government – Department of Environmental Management – elimination of MTBE as a Gasoline Additive.**

**BE IT FURTHER RESOLVED that the town clerk is hereby instructed to submit a copy of this resolution to various City and Town Councils of the State of Rhode Island seeking their consideration and support of this proposal.**

**Adopted this 8th day of March 2006**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor**



**Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution opposing amendments to the general laws of Rhode Island that would result in mandatory implementation of NFPA 1500, as follows:**

## **RESOLUTION**

**IN STRONG OPPOSITION TO NFPA 1500 LEGISLATION: 2006 – S 2114**

**AMENDMENTS TO HEALTH AND SAFETY – SAFETY AND HEALTH PROGRAMS FOR FIRE DEPARTMENTS §23-28.4-5 IMPLEMENTATION PLAN**

**WHEREAS, amendments to RIGL §23-28.4-5 place a substantial financial and administrative burden on municipalities, while providing no means to recoup the expense; and**

**WHEREAS, originally, NFPA 1500 was intended to be a standard for voluntary compliance, not a statutory mandate incorporating significant fines; and**

**WHEREAS, the NFPA 1500 standard (like all NFPA standards) constantly changes as new technologies, methodologies and state-of-the-art equipment is developed; therefore being fully compliant is virtually impossible, unless a fire department has**

unlimited financial resources to pay for the changing requirements;  
and

WHEREAS, RIGL 23-28.4-1 defines “employees” as full-time, part-time or volunteer; and further states that “a fire district shall be considered an employer if it employs one or more persons”; and

WHEREAS, at the time the original law was passed in 1988, the legislature recognized that all costs for local compliance with the mandate would be borne by the State, as it was deemed to be a reimbursable mandate under a Rhode Island law. That is no longer applicable; and

WHEREAS, passage of a mandate such as this gives every IAFF local extraordinary leverage in other areas, such as labor contract negotiations, the resolution of grievances, or settlement of disputes before the State labor board.

NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville, respectfully request strong opposition to the proposed amendments to RIGL §23-28.4-5 of the General Laws in Chapter 23 entitled Health and Safety.

BE IT FURTHER RESOLVED that the Town Council of the Town of Burrillville oppose any amendments to the Rhode Island General Laws that would result in mandatory implementation of NFPA 1500.

PASSED AS A RESOLUTION of the Burrillville Town Council this 8th day of March 2006.

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution supporting 2006 – S 2168, that would require that the registry of motor vehicles maintain a branch office in the Town of Burrillville, as follows:**

**BURRILLVILLE TOWN COUNCIL  
RESOLUTION**

**WHEREAS, convenience and expedience in services provided by the Division of Motor Vehicles is important to all residents in the State of Rhode Island; and**

**WHEREAS, with ever-increasing gas prices, Rhode Islanders are facing hard times and making every effort to conserve gas and eliminate unnecessarily long drives; and**

**WHEREAS, it is the responsibility of the administrator to maintain offices in those places in the state that are deemed necessary to properly carry out the powers and duties vested in the division of motor vehicles.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the**

**Town of Burrillville on this 8TH day of March 2006 do hereby request the support of the State Legislators for Senate Bill 2006 – S 2168, An Act Relating to Motor and Other Vehicles – Division of Motor Vehicles that would require that the registry of motor vehicles maintain a branch office in the Town of Burrillville and keep the office open for business at least two (2) days per week.**

**Adopted this 8th day of March 2006**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution in support of the phase-out of the excise tax on motor vehicles, as follows:**

**BURRILLVILLE TOWN COUNCIL  
RESOLUTION**

**WHEREAS, the phase-out of the excise tax on motor vehicles in Rhode Island provides permanent property tax relief through eliminating a tax; and**

**WHEREAS, there is a need to ensure consistent tax policy over a period of time and it is incumbent upon the State's leaders to stay the**

**course and ensure that permanent property tax relief remains a high priority; and**

**WHEREAS, it is possible that monies needed to compensate the cities and towns for the revenue losses will not be available as the phase-out timetables nears its end; and**

**WHEREAS, it is inappropriate to cut back or reduce these funds because it simply shifts the tax burden from the state to cities and towns.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville on this 8TH day of March 2006 do hereby support the phase-out of the excise tax on motor vehicles in Rhode Island and calls upon the General Assembly to continue funding the program.**

**Adopted this 8th day of March 2006**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to open discussion of a resolution relative to 2006 H 7194 that would make the Pascoag Utility District exempt from property tax assessment by the Town of Burrillville.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to support by resolution and ask the utility district to phase-in over a three-year period.**

**Motion by Councilor Nancy F. Binns. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt resolutions relative to support of 2006 – H 7286 and 2006 – S 2224 – Joint & Several Liability, as follows:**

**Town Council of the Town of Burrillville  
Resolution**

**At the Regular Meeting of the Burrillville Town Council held on Wednesday, March 8, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2006 –**

**H 7286, An Act Relating to Courts and Civil Procedure – Joint and Several Liability, which would provide that the liability of a defendant for damages would be several only and not be joint where the defendant's act or omission constituted no more than 25% of the cause of damage sustained by the plaintiff.**

**Passed as a resolution of the Burrillville Town Council this 8th day of March 2006.**

**Town Council of the Town of Burrillville  
Resolution**

**At the Regular Meeting of the Burrillville Town Council held on Wednesday, March 8, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support Senate Bill 2006 –**

**S 2224, An Act Relating to Courts– Joint and Several Liability, which would provide that the liability of a defendant for damages would be several only and not be joint where the defendant's act or omission constituted no more than twenty-five (25%) of the cause of damages sustained by the plaintiff.**

**Passed as a resolution of the Burrillville Town Council this 8th day of March 2006.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adopt a resolution relative to support of 2006 – H 7433 and 2006 – S 2215 – Interest in Civil Actions, as follows:**

**Town Council of the Town of Burrillville**

**Resolution**

**At the Regular Meeting of the Burrillville Town Council held on Wednesday, March 8, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support House Bill 2006 – H 7433, An Act Relating to Courts and Civil Procedure – Procedure Generally – Judgments, Orders, and Decrees, which would change the rate assessed on civil judgments from twelve percent (12%) to the treasury index rate.**

**Passed as a resolution of the Burrillville Town Council this 8th day of March 2006.**

**Town Council of the Town of Burrillville**

**Resolution**



**At the Regular Meeting of the Burrillville Town Council held on Wednesday, March 8, 2006 at 7:00 P.M. in the Town Council Chambers, Town Building, 105 Harrisville Main Street, Harrisville, RI 02830, and at which time a quorum was present and acting throughout, the Town Council of the Town of Burrillville voted to support Senate Bill 2006 –**

**S 2006 – S 2215, An Act Relating to Courts and Civil Procedure, which would reduce the interest percentage to be added in civil actions from twelve percent (12%) to six percent (6%).**

**Passed as a resolution of the Burrillville Town Council this 8th day of March 2006.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**8. New Business:**

**06-062 VOTED to endorse the annual report detailing annual advancements relating to storm water management.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors**

**Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-063 VOTED to open the request to declare surplus a 1986 Ford Van, as requested by Richard A. Bernardo, P.E., Director of Public Works and Engineering Services.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to declare surplus and give it to the highest bidder to go to a scrap yard.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-064 VOTED to table to the March 22, 2006 meeting the correspondence from Kevin M. Blais regarding his request for clarification of the open meetings laws and policies of the Town of Burrillville.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-065 VOTED to receive and file the correspondence from the Wildlife Rehabilitators Association of Rhode Island (WRARI) regarding their request for an appropriation of \$300 to cover the operating costs of caring for wildlife.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-066 VOTED to reappoint Evelyn M. Levesque to the Board of Canvassers for a six-year term to expire on March 31, 2012.**

**Motion by Council President Wallace F. Lees. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-067 VOTED to refer to the screening subcommittee the applications for reappointment from Christopher Desjardins of the Planning Board, Bruce F. Ferreira of the Planning Board, Arthur R. Hurley of the Budget Board, John Patriarca of the Zoning Board, Robert P. Peloquin of the Redevelopment Agency, Jeffrey Presbrey of the Planning Board, Paul A. Roselli of the Conservation Commission, Michael D. Scurka of the Conservation Commission, Matthew Trimble of the Budget Board, and Marc J. Tremblay of the Conservation Commission.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**9. Town Clerk/Communication:**

**06-068 VOTED to receive and file the correspondence from DEM regarding the Burrillville WWTF Compliance Evaluation Inspection – January 2006.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors**

**Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-069 VOTED to receive and file the House Resolution requesting support of a nationwide boycott on all petroleum-based products from the Exxon Mobile Corporation.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Nancy F. Binns. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**06-070 VOTED to send the president to the 50th Annual St. Patrick's Day Parade, Saturday, March 11, 2006.**

**Motion by Councilor Jaqueline Zahn. Seconded by Councilor William A. Andrews. The motion carried, five in favor, one opposed. Voting in favor of the motion were Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford. Voting in opposition was Council President Wallace F. Lees.**

#### **10. Additional New Business:**

**06-071 VOTED to grant the request for Executive Session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open**

**Meeting Law [42-46-5 (a)(2)] for discussions pertaining to collective bargaining: Burrillville Teachers Association and Council 94, Burrillville Town Employees, Local 186.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**The Council returned to open session at 7:44 P.M.**

**VOTED to seal the minutes of executive session, noting that no votes had been taken.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**VOTED to adjourn at 7:45 P.M.**

**Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors**

**Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley and Ronald E. Faford.**

**Louise R. Phaneuf, Town Clerk**